

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

IN RE VASO ACTIVE PHARMACEUTICALS
SECURITIES LITIGATION

Master Docket No. 04-10708-RCL

This Document Relates To:
ALL ACTIONS

**AFFIDAVIT OF THOMAS G. SHAPIRO IN SUPPORT
OF JOINT PETITION FOR ATTORNEYS' FEES
AND REIMBURSEMENT OF EXPENSES FILED
ON BEHALF OF SHAPIRO HABER & URMY LLP**

I, Thomas G. Shapiro, being duly sworn, depose and say:

1. I am a partner in the law firm of Shapiro Haber & Urmey LLP. I am submitting this Affidavit in support of my firm's application for an award of attorneys' fees in connection with services rendered to the plaintiff class and the reimbursement of expenses incurred by my firm in the course of this litigation.

2. My firm acted as liaison counsel for lead counsel in this matter.

3. The schedule attached hereto as Exhibit 1 presents a detailed summary indicating the time expended by the attorneys and paralegals of this firm on services which benefitted the Class in this litigation at current rates. The schedule includes the name of the attorneys and paralegals who worked on the case and the hourly billing rates and number of hours expended by the attorneys and paralegals on the matter. The schedule was prepared from contemporaneous daily time records maintained by my firm. Time expended in preparing this application for fees and reimbursement of expenses has not been included in this request.

4. As detailed in Exhibit 2, my firm advanced or incurred a total of \$1,870.50 in unreimbursed expenses in connection with the prosecution of this litigation. These expenses are reflected on the books and records of my firm. These books and records are prepared from expense vouchers, check records and other source materials and are an accurate recordation of the expenses incurred.

5. Attached hereto as Exhibit 3 is a brief biography of my firm and the attorneys of my firm who worked on this litigation.

Signed under the pains and penalties of perjury this 2nd day of December, 2005.

/s/Thomas G. Shapiro
Thomas G. Shapiro

Exhibit 1**SHAPIRO HABER & URMY LLP**

Time from inception to current date.

Name	Total Hours	Hourly Rate	Lodestar
<u>Attorneys:</u>			
Theodore Hess-Mahan	54.7	\$425	\$23,247.50
Todd Heyman	1.3	350	455.00
Thomas G. Shapiro	12.1	630	7,623.00
Matthew Tuccillo	0.2	350	<u>70.00</u>
Total Attorneys			\$31,395.50
<u>Paralegals:</u>			
Rose Alappat	4.6	\$160	\$ 736.00
Carmen Iguina	1.3	160	208.00
Allison Newman	1.0	160	160.00
Alyssa Petroff	24.2	160	<u>3,872.00</u>
Total Paralegals			\$ 4,976.00
FIRM GRAND TOTAL			<u>\$36,371.50</u>

Exhibit 2

In re Vaso Active Pharmaceuticals Securities Litigation

SHAPIRO HABER & URMY LLP

Expense Report - Inception through current date

Category	Amount
Computer Research	\$ 15.64
Delivery/Courier	217.06
Facsimiles	32.50
Filing Fees	850.00
In-house duplicating	125.10
Postage	20.01
Press Release	500.00
Telephone	<u>110.19</u>
TOTAL	<u>\$1,870.50</u>

Exhibit 3

SHAPIRO HABER & URMY LLP

FIRM RESUME

Shapiro Haber & Urmey LLP is a nine lawyer firm based in Boston, Massachusetts that concentrates in the litigation of complex civil actions, particularly class and derivative actions. It has represented investors in a number of significant securities fraud actions. The firm has won multimillion dollar jury verdicts and arbitration awards for defrauded investors. The firm has extensive experience in both trials and appeals in state and federal courts.

The firm has represented investors in many notable instances of financial fraud, including Centennial Technologies, Kendall Square Research Corp., Cambridge Biotech Corp., Kurzweil Applied Intelligence and Bank of New England. The firm has also litigated cases against such major companies as Fidelity Investments, John Hancock Insurance Company, Digital Equipment Corporation, Bank of Boston, Fleet Bank, Lotus Development Corporation, Polaroid Corporation and others.

The firm has been awarded the "AV" rating by the Martindale-Hubbell Law Directory, which is given only to those who have earned a very high measure of professional esteem and have adhered to the highest ethical standards in the legal profession. The firm's website is located at www.shulaw.com.

Brief biographies of the attorneys who worked on this case are as follows:

Thomas G. Shapiro

Mr. Shapiro graduated from Harvard College (*magna cum laude*) in 1965 and from Harvard Law School (*cum laude*) in 1969. Mr. Shapiro is well known for his expertise and experience in securities litigation. He has been a faculty member in continuing legal education programs concerning securities litigation sponsored by the Practicing Law Institute, ALI-ABA, Massachusetts Continuing Legal Education, Massachusetts Academy of Trial Attorneys and the Boston Bar Association. Mr. Shapiro has lectured on securities litigation issues for the American Corporate Counsel Association and at a NASDAQ

Financial Executive Conference for senior officers of NASDAQ companies. Mr. Shapiro was also on the faculty of the Flaschner Judicial Institute's seminar for Massachusetts Superior Court judges on the Trial and Management of Complex Cases.

Mr. Shapiro is the author of the chapter "Depositions in Class Actions" in *Massachusetts Deposition Practice Manual*, published by Massachusetts Continuing Legal Education in 1992, and co-author of *Securities Litigation in the Aftermath of In Re Data Access Securities Litigation*, 24 New. Eng. L. Rev. 537 (1990). He served as the first Chairman of the Federal Practice Committee of the Massachusetts Bar Association. He is a member of the bar of the Commonwealth of Massachusetts, the United States District Court for the District of Massachusetts, the United States Court of Appeals for the First Circuit, and the Supreme Court of the United States.

Theodore Hess-Mahan

Mr. Hess-Mahan is a 1981 graduate of Tufts University and a 1990 graduate of Suffolk University Law School (*cum laude*). Upon graduation from law school, he worked as a law clerk to Francis P. O'Connor, Associate Justice of the Supreme Judicial Court for the Commonwealth of Massachusetts. He was an associate with the Boston office of the firm of Ropes & Gray from 1991 to 1997. Mr. Hess-Mahan joined Shapiro Haber & Urmey as an associate in May 1997. He is a member of the bar of the Commonwealth of Massachusetts, the Supreme Court of the United States, The United States Court of Appeals for the First Circuit, and the United States District Court for the District of Massachusetts.

Todd S. Heyman

Mr. Heyman is a 1993 graduate of Georgetown University and a 1999 graduate of Stanford Law School. Upon graduation from law school, he worked as a law clerk to the Honorable Nancy Gertner, United States District Court for the District of Massachusetts. Mr. Heyman joined Shapiro Haber & Urmey in September 2000. He is a member of the bar

of the Commonwealth of Massachusetts and the United States District Court for the District of Massachusetts.

Matthew L. Tuccillo

Mr. Tuccillo is a 1995 graduate of Wesleyan University and a 1999 graduate of the Georgetown University Law Center. Mr. Tuccillo was an associate at the Boston law firm of Brown, Rudnick, Freed & Gesmer from 1999 to 2001. He was an associate with the Boston office of the law firm of Lieff, Cabraser, Heimann & Bernstein from 2001 to 2002. Mr. Tuccillo joined Shapiro, Haber & Urmey in July 2002. He is a member of the Bar of the Commonwealth of Massachusetts and the United States District Court for the District of Massachusetts.